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TRANSMITTAL SLIP

TO: D/ICS		
ROOM NO.	BUILDING	
REMARKS:		
FROM:		
ROOM NO.	BUILDING	EXTENSION

FORM NO. 1 FEB 56 241 REPLACES FORM 36-8 WHICH MAY BE USED. (47)

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LIA 3-SR

23 April 1987

MEMORANDUM FOR: Executive Director
Director, Intelligence Community Staff
Deputy Director for Administration
Deputy Director for Intelligence
Deputy Director for Operations
Deputy Director for Science and Technology
Chairman, National Intelligence Council
General Counsel
Inspector General
Director, Office of Legislative Liaison
Comptroller
Executive Secretary
Director, Public Affairs Office

FROM: Acting Director of Central Intelligence

SUBJECT: Preservation of Documents Responsive to the Iran-Contra Investigation

1. Recently, the Independent Counsel wrote me a letter expressing concern that certain handwritten notes relevant to his Iran-Contra investigation had been destroyed. He asked me once again to instruct our employees concerning this matter and to take additional steps to ensure that my instructions are strictly followed. See his attached letter.

2. Over the past several months, we have issued two Employee Bulletins and one Headquarters Notice instructing our employees to preserve any responsive materials (tapes, documents, notes, etc.) and to suspend standard destruction procedures for documents that might be responsive to the criminal investigation being conducted by the Independent Counsel and other investigations regarding the Iran-Contra affair.

3. I agree, nevertheless, with the Independent Counsel that the importance of strict compliance with our previous directions concerning preservation of documents should be reemphasized. I expect each of you to remind your employees that these directives must be taken literally and that no relevant records, regardless of their form, may be destroyed. In addition, I urge you to take any additional steps necessary to minimize the possibility that the incident that prompted the Independent Counsel's letter will reoccur.

AIUO When Separated
From Attachment

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SUBJECT: Preservation of Documents Responsive to the Iran-Contra Investigation

4. Fortunately, in the circumstances that gave rise to the letter of the Independent Counsel, the particular handwritten notes in question had been shown to a staffer assigned to the Independent Counsel, by CIA and explained to him. Moreover, the notes apparently were destroyed only after a more complete memorandum detailing the same subject matter had been prepared.

5. To date, our employees have responded remarkably well with respect to the Iran investigations and should be applauded for their support and tireless efforts in these endeavors. We must avoid any action which impugns the good faith of the Agency or our employees in cooperating with these investigations.

Robert M. Gates

Attachment

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Executive Registry
87-1566 X

OFFICE OF INDEPENDENT COUNSEL
SUITE 701
555 THIRTEENTH STREET, N.W.
WASHINGTON, D.C. 20004
(202) 383-8940

General Counsel
87-01475

April 15, 1987

Honorable Robert Gates
Acting Director
Central Intelligence Agency
Langley, Virginia

Dear Mr. Gates:

We were advised late last week by the Inspector General that a set of handwritten notes, related to our investigation, were destroyed by an inspector within the Office of Inspector General.

The purpose of this letter is not to address this specific act. An investigation will be conducted and the circumstances of the destruction ascertained. Rather, the purpose of this letter is to advise you that we view the matter of the destruction of any records relating to this investigation as a very serious and disturbing act.

I know that you are sensitive to these concerns and have previously instructed your employees to preserve tact all records relating to our investigation. I ask you to once again instruct your employees concerning this matter, and to take whatever additional steps are necessary to insure that your instructions are strictly followed. Associate Counsel Randy Bellows has already discussed the problem with General Counsel Doherty and Inspector General Hauver.

Thank you.

Sincerely,

Lawrence E. Walsh
Independent Counsel

CLASSIFIED BY: George Litzenberg, Jr.
DECLASSIFY ON: OADR

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